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IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

n re: Roger P Nielsen Linda M Nielsen)	Case no. 17-16810
)	Chapter 13
	Debtors)	Judge: Janet S. Baer

NOTICE OF MOTION AND CERTIFICATE OF SERVICE

Roger P Nielsen Linda M Nielsen 36W420 Highland Ave Elgin, IL 60123 Sulaiman Law Group 2500 S Highland Ave #200 Lombard.IL 60148

Please take notice that on Friday, April 12, 2019 at 9:15 am, a representative of this office shall appear before the Honorable Judge Janet S. Baer at the Kane County Courthouse, 100 S 3rd Street, Courtroom 240, Geneva, IL 60134 and present the motion set forth below. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

I certify that this office caused a copy of this notice to be delivered to the above listed debtors by depositing it in the U.S. Mail at 801 Warrenville Road, Lisle, IL and to the debtor's attorney electronically via the Court's CM/ECF system on Thursday, March 14, 2019.

/s/ SYSTEM EVENT

For: Glenn Stearns, Trustee

MOTION TO DISMISS FOR NON COMPLIANCE OF THE CONFIRMED PLAN

Now comes Glenn Steams, Chapter 13 Trustee, and requests that the discharge of the above referenced case pursuant to 11 U.S.C §1307(c) and Bankruptcy Rule 3015 and in support thereof, states the following:

- 1. On May 31, 2017, the debtors filed a petition under Chapter 13.
- 2. On February 16, 2018, the Plan was confirmed for 60 months with payments of \$464.00 with unsecured creditors receiving 5.00%.
- 3. The debtors plan provides that: In addition to making regular plan payments required under section D1, debtors shall submit their refunds each year as additional plan payments. Tax refunds submitted by the debtor increase the amount debtors are required to pay into the plan dollar for dollar. Debtors shall provide copies of their tax returns to the Trustee no later than April 30 each year and shall submit their tax refund to the Trustee within fifteen days receipt thereof.
- 4. The debtors are in non-compliance under the terms of the confirmed plan for failure to provide their 2017 tax return / refund.

WHEREFORE, the Trustee prays that this case be dismissed pursuant to Section 1307(c) and for other and further relief, as this court deems proper.

/s/ Carolyn A. Suzzi
For: Glenn Stearns, Trustee

Respectfully Submitted;

Glenn Stearns, Trustee 801 Warrenville Road, Suite 650 Lisle, IL 60532-4350

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